

## Office of Personnel Management

## Pt. 843, Subpt. C, App. A

employee based on an election made under subpart F of part 842 of this chapter or a qualifying court order.

(c) The basic employee death benefit paid to a current spouse may not exceed the difference between—

(1) The amount that would otherwise be payable to the current spouse under § 843.310; and

(2) The portion of the basic employee death benefit payable to a former spouse based on a qualifying court order.

### § 843.313 Elections between survivor annuities.

(a) A current spouse annuity cannot be reinstated under § 843.305 unless—

(1) The surviving spouse elects to receive the reinstated current spouse annuity instead of any other payments (except any accrued but unpaid annuity and any unpaid employee contributions) to which he or she may be entitled under FERS, or any other retirement system for Government employees, by reason of the remarriage; and

(2) Any lump sum paid on termination of the annuity is returned to the Civil Service Retirement and Disability Fund.

(b) A current spouse is entitled to a current spouse annuity based on an election under § 842.612 only upon electing this current spouse annuity instead of any other payments (except any accrued but unpaid annuity and any unpaid employee contributions) to which he or she may be entitled under FERS, or any other retirement system for Government employees.

(c) A former spouse who marries a retiree is entitled to a former spouse annuity based on an election by that retiree under § 842.611, or a qualifying court order terminating that marriage to that retiree only upon electing this former spouse annuity instead of any other payments (except any accrued but unpaid annuity and any unpaid employee contributions) to which he or she may be entitled under FERS, or any other retirement system for Government employees.

(d) As used in this section, “any other retirement system for Government employees” does not include Survivor Benefit Payments from a military retire-

ment system or social security benefits.

[57 FR 54681, Nov. 20, 1992]

### § 843.314 Amount of survivor annuity where service includes credit for service with a nonappropriated fund instrumentality.

(a) The survivor annuity based on service that includes service with a nonappropriated fund instrumentality made creditable by an election under 5 CFR part 847, subpart D, is computed under 5 CFR part 847, subpart F.

(b) The survivor annuity based on service that includes service with a nonappropriated fund instrumentality made creditable by an election under 5 CFR part 847, subpart H, is computed under 5 CFR part 847, subpart I.

[68 FR 2178, Jan. 16, 2003]

### APPENDIX A TO SUBPART C OF PART 843—PRESENT VALUE CONVERSION FACTORS FOR EARLIER COMMENCING DATE OF ANNUITIES OF CURRENT AND FORMER SPOUSES OF DECEASED SEPARATED EMPLOYEES

Age of separated employee at birthday before death	Multiplier
With at least 10, but less than 20 years of creditable service—	
26 .....	0.0592
27 .....	.0633
28 .....	.0688
29 .....	.0730
30 .....	.0804
31 .....	.0859
32 .....	.0921
33 .....	.0991
34 .....	.1064
35 .....	.1158
36 .....	.1234
37 .....	.1333
38 .....	.1422
39 .....	.1551
40 .....	.1668
41 .....	.1799
42 .....	.1938
43 .....	.2097
44 .....	.2260
45 .....	.2437
46 .....	.2635
47 .....	.2858
48 .....	.3085
49 .....	.3346
50 .....	.3618
51 .....	.3926
52 .....	.4255
53 .....	.4623
54 .....	.5025
55 .....	.5463
56 .....	.5944
57 .....	.6461
58 .....	.7040